

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.949 of 2023

Arising Out of PS. Case No.-236 Year-2019 Thana- RUNISAIDPUR District- Sitamarhi

Jaleshwar Kumar Yadav S/O Vindeeshwar Ray R/o Village- Dhanhara, Manik
Chauk, P.S- Runnisaidpur, Distt.- Sitamarhi, Bihar, Pin Code- 843323.

... .. Petitioner

Versus

1. The state of Bihar through Additional Chief Secretary, Panchayati Raj Department, Govt. of Bihar. Patna.
2. The District Magistrate, Sitamarhi, Bihar.
3. The Superintendent of Police, Sitamarhi Bihar.
4. Station House Officer (SHO), Runnisaidpur Police Station, Sitamarhi, Bihar.
5. The Investigating Officer of Runnisaidpur P.S Case No. 236/19
6. The Block Development Officer, Runnisaidpur
7. Avdesh Sah S/O Yogendra Sah Currently Mukhiya of Panchayat Kauriya Lalpur, R/O Village- Lalpur, Panchayat- Kauriya Lalpur, P.S- Runnisaidpur, Distt.- Sitamarhi. Pin code-

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Raghvendra Kumar, Advocate Mr. Amit Anand, Advocate
For the Respondent/s	:	Mr. Prabhat Ranjan, AC to GP-6

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner is the informant of Runnisaidpur P.S.
Case No. 236 of 2019 registered for the offences under Sections
406, 409, 420, 467 and 468 of the Indian Penal Code.

3. It is the case of the petitioner that the FIR has been
instituted against the Mukhiya of the Panchayat Kauriya Lalpur
for the alleged illegalities and the financial indiscipline
committed by him in carrying out government scheme namely,



Har Ghar Nal-Jal Scheme.

4. Learned counsel submits that huge amount of government funds have been diverted by the Mukhiya. It is submitted that despite lodging of the FIR and representations sent to the Superintendent of Police, Sitamarhi vide letter dated 09.07.2021 as contained in Annexure 'P/4' to the writ application, the investigation is not progressing and it has remained pending for over four years.

5. Learned counsel for the State submits that in such circumstance, appropriate direction may be issued to the Superintendent of Police, Sitamarhi.

6. Having regard to the submissions noted hereinabove, this Court directs the Superintendent of Police, Sitamarhi (Respondent No.3) to review the progress made in connection with the investigation of this case, issue appropriate instruction to the Investigating Officer and in case it is found that the Investigation Officer is sitting over the matter and has not taken any steps during last four years, he will also fix the responsibility for the inaction on the part of the I.O. and the investigation shall be entrusted to some other I.O.

7. In any case, the Superintendent of Police, Sitamarhi (Respondent No.3) shall ensure that the investigation of the case



is completed and a police report is submitted in the jurisdictional court within a reasonable period.

8. This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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